

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 24, 2014

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Guthrie and Stennett, absent and formally excused by the Chair; and Senators Brackett, McKenzie, and Pearce, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Kaitlyn Parks, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 23, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 24, 2014

The JUDICIARY AND RULES Committee reports that [SJM 103](#), [S 1239](#), [S 1240](#), and [S 1241](#) have been correctly printed.

LODGE, Chairman

[SJM 103](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1239](#) and [S 1241](#) were referred to the Local Government and Taxation Committee.

[S 1240](#) was referred to the Judiciary and Rules Committee.

January 23, 2014

The TRANSPORTATION Committee reports out [S 1208](#) and [S 1209](#) with the recommendation that they do pass.

BRACKETT, Chairman

[S 1208](#) and [S 1209](#) were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 23, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kenneth Edmunds of Twin Falls, Idaho, was appointed Director of the Department of Labor to serve a term commencing November 25, 2013, and continuing at the pleasure of the Governor.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 23, 2014

Dear Mr. President:

I transmit herewith [H 369](#), [H 370](#), [H 374](#), and [H 375](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 369](#), [H 370](#), [H 374](#), and [H 375](#) were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1242 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT
RELATING TO HEALTH REIMBURSEMENT
ARRANGEMENTS; AMENDING CHAPTER 57, TITLE
67, IDAHO CODE, BY THE ADDITION OF A NEW
SECTION 67-5761C, IDAHO CODE, TO PROVIDE HEALTH
REIMBURSEMENT ARRANGEMENTS FOR STATE
EMPLOYEES, TO DEFINE TERMS AND TO PROVIDE FOR
RULEMAKING AUTHORITY.

S 1243 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT
RELATING TO HEALTH CARE; AMENDING CHAPTER 90,
TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW
SECTION 39-9005, IDAHO CODE, TO DEFINE TERMS, TO
PROVIDE FOR THE REQUIREMENTS OF A MEDICAL

RETAINER AGREEMENT AND TO PROVIDE THAT MEDICAL RETAINER AGREEMENTS SHALL NOT BE REGULATED AS HEALTH INSURANCE; AND AMENDING CHAPTER 42, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-4208, IDAHO CODE, TO PROVIDE THAT MEDICAL RETAINER AGREEMENTS SHALL NOT BE SUBJECT TO REGULATION AS HEALTH INSURANCE.

S 1244
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT

RELATING TO THE STATE INSURANCE FUND; AMENDING SECTION 72-904, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE STATE INSURANCE FUND'S POWER TO SUE AND BE SUED; REPEALING SECTION 41-1618, IDAHO CODE, RELATING TO APPLICABILITY OF CHAPTER AS TO CERTAIN POWERS OF STATE INSURANCE MANAGER, AND TO CERTAIN PUBLIC EMPLOYMENT; REPEALING SECTION 72-903, IDAHO CODE, RELATING TO FURTHER STATEMENT OF POWERS; REPEALING SECTION 72-905, IDAHO CODE, RELATING TO CONTRACTS; REPEALING SECTION 72-909, IDAHO CODE, RELATING TO DELEGATION OF POWERS; REPEALING SECTION 72-913, IDAHO CODE, RELATING TO THE CLASSIFICATION OF RISKS AND ADJUSTMENT OF PREMIUMS; REPEALING SECTION 72-914, IDAHO CODE, RELATING TO ACCOUNTS; REPEALING SECTION 72-917, IDAHO CODE, RELATING TO READJUSTMENTS OF PAYROLLS; REPEALING SECTION 72-918, IDAHO CODE, RELATING TO POLICIES AND PAYMENT OF PREMIUMS; REPEALING SECTION 72-919, IDAHO CODE, RELATING TO ACTIONS FOR COLLECTION IN CASE OF DEFAULT, PENALTY AND CANCELLATION OF POLICY; REPEALING SECTION 72-920, IDAHO CODE, RELATING TO WITHDRAWAL FROM FUND; REPEALING SECTION 72-921, IDAHO CODE, RELATING TO REINSURANCE; REPEALING SECTION 72-922, IDAHO CODE, RELATING TO AUDIT OF PAYROLLS; REPEALING SECTION 72-923, IDAHO CODE, RELATING TO FALSIFICATION OF PAYROLL; REPEALING SECTION 72-924, IDAHO CODE, RELATING TO WILLFUL MISREPRESENTATION; AND REPEALING SECTION 72-925, IDAHO CODE, RELATING TO INSPECTIONS.

S 1245
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2014; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2014; AND DECLARING AN EMERGENCY.

[S 1242](#), [S 1243](#), [S 1244](#), and [S 1245](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 369](#), [H 370](#), [H 374](#), and [H 375](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

Senators Brackett and Pearce were recorded present at this order of business.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senator McKenzie was recorded present at this order of business.

[S 1216](#), [S 1217](#), and [S 1218](#), by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1213](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Pearce disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Guthrie, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [S 1213](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Werk, by voice vote, the Senate adjourned at 11:45 a.m. until the hour of 11:30 a.m., Monday, January 27, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary